

FORTY-THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, February 20, 2006

The Senate was called to order at 10:30 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators McCaslin and Swecker.

The Sergeant at Arms Color Guard consisting of Pages Ismael Campos II and Darren Levin, presented the Colors. Senator Shin offered the prayer.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 17, 2006

SHB 1107 Prime Sponsor, Committee on Appropriations: Providing for early intervention services for children with disabilities. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Delvin, Kohl-Welles, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Ways & Means.

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HB 1641 Prime Sponsor, Kretz: Decriminalizing vessel registration violations. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Fraser, Morton, Oke, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 16, 2006

SHB 1841 Prime Sponsor, Committee on Commerce & Labor: Revising provisions for electrical trainees. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

February 17, 2006

SHB 1986 Prime Sponsor, Committee on Higher Education & Workforce Education: Requiring a review of tuition waivers. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Weinstein, Vice

Chair, Early Learning & K-12; Berkey, Delvin, Kohl-Welles, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Rules for second reading.

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SHB 2033 Prime Sponsor, Committee on Finance: Modifying municipal business and occupation taxation. Revised for 1st Substitute: Modifying the allocation of printing and publishing income for municipal business and occupation taxes. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Pridemore and Roach

Passed to Committee on Rules for second reading.

February 16, 2006

HB 2330 Prime Sponsor, Blake: Modifying provisions concerning the administration of a crab pot buoy tag program. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Morton, Oke, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 16, 2006

HB 2332 Prime Sponsor, Buck: Concerning recreational fishing for albacore tuna. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Morton, Oke, Spanel and Swecker

MINORITY recommendation: Do not pass. Signed by Senator Stevens

Passed to Committee on Rules for second reading.

February 16, 2006

SHB 2372 Prime Sponsor, Committee on Natural Resources, Ecology & Parks: Encouraging volunteers to teach hunter education courses. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Morton, Oke, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 16, 2006

EHB 2478 Prime Sponsor, Green: Clarifying laws on ballot measures. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Haugen, Kline, McCaslin and Pridemore

MINORITY recommendation: Do not pass. Signed by Senator Roach. Without recommendation. Signed by Senator Benton

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

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SHB 2545 Prime Sponsor, Committee on State Government Operations & Accountability: Revising veterans' scoring criteria in examinations. Reported by Committee on Government Operations & Elections

HB 3041 Prime Sponsor, Alexander: Modifying voter registration timelines. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Haugen, Kline, McCaslin and Pridemore

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

MINORITY recommendation: Without recommendation. Signed by Senators Benton and Roach

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

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SHB 2694 Prime Sponsor, Committee on State Government Operations & Accountability: Eliminating Saturday counting of ballots. Reported by Committee on Government Operations & Elections

HB 3057 Prime Sponsor, Green: Modifying address confidentiality program provisions. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore

Passed to Committee on Rules for second reading.

MINORITY recommendation: Without recommendation. Signed by Senator Roach

MOTION

Passed to Committee on Rules for second reading.

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

SHB 2715 Prime Sponsor, Committee on Technology, Energy & Communications: Regarding the state interoperability executive committee. Reported by Committee on Government Operations & Elections

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Pridemore and Roach

SB 6899 by Senator Roach

AN ACT Relating to instruction in Spanish and Chinese; amending RCW 28A.410.025; adding a new section to chapter 28A.320 RCW; and creating a new section.

Passed to Committee on Rules for second reading.

Referred to Committee on Early Learning, K-12 & Higher Education.

MOTION

HB 3019 Prime Sponsor, Haigh: Clarifying the role of a chief financial officer in a charter county. Reported by Committee on Government Operations & Elections

On motion of Senator Eide, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

MOTION

Passed to Committee on Rules for second reading.

On motion of Senator Eide, the Senate advanced to the eighth order of business.

MOTION

SHB 3024 Prime Sponsor, Committee on State Government Operations & Accountability: Increasing the number of demonstration projects that may be authorized by the school district project review board. Reported by Committee on Government Operations & Elections

Senator Benton moved adoption of the following resolution:

SENATE RESOLUTION
8695

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Pridemore and Roach

By Senator Benton

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WHEREAS, Ninety-four years ago, on February 6, 1911, Ronald Wilson Reagan was born to John and Nelle Reagan in the family's modest apartment above the general store in Tampico, Illinois; and

WHEREAS, John Reagan struggled both before and during the Great Depression in his attempts to provide for his family, until he was appointed director of the Dixon, Illinois office of the Works Progress Administration, a New Deal, back to work program; and

WHEREAS, Ronald Reagan, building upon a successful career in the private sector, acted upon the courage of his convictions and entered the world of politics and public service as Governor of California; and

WHEREAS, Ronald Reagan was extraordinarily successful at communicating his vision to the American people with powerful words such as these:

"The house we hope to build is not for my generation but for yours. It is your future that matters. And I hope that when you are my age, you will be able to say as I have been able to say: We lived in freedom. We lived lives that were a statement, not an apology."; and

WHEREAS, During his career as a public servant, Ronald Reagan was unafraid to do battle on the great issues of his time and, in the words of Theodore Roosevelt, enter the arena, strive valiantly, and spend himself for a worthy cause; and

WHEREAS, Ronald Reagan, as all great American presidents, used the power of the Presidency as he deemed best to invigorate our economy, put Americans to work, honor our obligation to those who need help, and inspire all Americans to seek a more perfect Union; and

WHEREAS, Ronald Reagan's leadership, with the support of the American people, helped to end the Cold War, set many nations on a path to freedom and democracy, and promoted greater peace and stability to many regions of the world; and

WHEREAS, President Ronald Reagan provided this nation a great vision for the future and the leadership to advance the cause of democracy and the American dream; and

WHEREAS, The passing of President Reagan gives cause to remember his mission and work, it does not signal the passing of his legacy;

NOW, THEREFORE, BE IT RESOLVED, That it is with great respect, that the Washington State Senate remember the work, honor, and excellence of character exemplified by President Ronald Wilson Reagan as we honor his life and Presidency.

Senator Benton spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8695.

The motion by Senator Benton carried and the resolution was adopted by voice vote.

MOTION

At 10:43 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate appeared at the Chamber doors of Representatives and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen to the rostrum. The senators were invited to sit within the Chamber.

JOINT SESSION

The Speaker (Representative Lovick presiding) called upon President Owen to preside.

The President called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

Chief Justice Gerry Alexander arrived and was escorted to the Rostrum.

The Statewide elected officials arrived and were escorted to the Rostrum. The President introduced Secretary of State Sam Reed; Superintendent of Public Instruction Terry Bergeson; Insurance Commissioner Mike Kreidler; and Commissioner of Public Lands Doug Sutherland.

Her Excellency, Governor Christine Gregoire, arrived and was escorted to the Rostrum.

The Medal of Valor honorees arrived and were escorted to the Rostrum. The President introduced Greg Meinhold, Jim Swett, Dennis Kensey and Travis Jackson.

The Flags were escorted to the Rostrum by the Washington State Patrol Honor Guard, composed of Troopers Chad Hoff, Brian Dorsey, Peterson Stock, Jon Ladines and Melissa Braaten, and Sergeants Zach Elmore and Albert Escalera. The President led the Chamber in the Pledge of Allegiance. The National Anthem was sung by Jasmine Coates. The prayer was offered by Chaplain George Albertson, chaplain for the Washington State Patrol and the Thurston County Sheriff's Office.

President Owen: "The purpose of the joint session is to present Medal of Valor Awards, honoring four deserving citizens. It is now my pleasure to present Governor Christine Gregoire."

Governor Gregoire: "Thank you, Mr. President, Mr. Speaker, Secretary Reed, Chief Justice Alexander, members of the Washington State Legislature.

We gather this morning to award our state's Medal of Valor to four of our citizens who risked serious injury or death to save or attempt to save the life of another. These four citizens – emblematic of "do unto others" – have set the bar for citizen heroism. They have blessed us with their courage and their example. They have renewed our faith that, in the heat of the moment, citizens will step up and act with astonishing courage regardless of the sacrifice.

A real hero understands that there are forces greater than self: Courage is grace under pressure, President Kennedy said, quoting Ernest Hemmingway. These citizens we honor today not only illustrate grace under pressure, they went above and beyond to demonstrate a willingness to pay the ultimate price to save a fellow citizen.

There is a common thread that binds each of our awardees: they were the faces in the crowd that did more than stare. They stepped up and helped when others would not. Thank God for them, and for those rare among us like them.

Our Washington State Medal of Valor was created in 1990, but today marks the first time it has been awarded. The medal reads, "For exceptionally valorous service, given in the act of saving the life of another."

Thank you for humbling us, thank you for making us proud to be Washingtonians."

Secretary of State Sam Reed: "The decoration of the state medal of valor is .999 pure silver and consists of the seal of the state of Washington, surrounded by a raised laurel wreath and suspended from a silver bar device inscribed "For Valor" which is suspended from a ring attached by a dark green ribbon, bordered by silver. The reverse of the decoration within the raised laurel wreath is inscribed with the recipient's name and

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the words: "For exceptionally valorous service, given in the act of saving the life of another."

The certificate accompanying the medal will prominently display the title, "Washington State Medal of Valor", the recipient's name, and the phrase, "For exceptionally valorous service, given in the act of saving the life of another." A seven-line citation will also be included on the certificate."

President Owen: "Madame Governor, it is my pleasure to introduce Travis Jackson and Dennis Kinsey.

These two Clark County men were driving home from work the night of January 18, 2005, when they came upon a fiery car crash. Both of them stopped to assist. Both of them saved a life. Travis Jackson actually witnessed the horrible accident: a Jeep careened over a curb on State Highway 500 at 112th Avenue in Orchards, crashed into a guardrail, slammed into a concrete signpost and burst into flames.

After calling 9-1-1, Jackson emptied the entire contents of a fire extinguisher to diminish the flames. The driver's door jammed into the rear door, Jackson used his bare hands to pry apart the metal and open the door, out of which black smoke poured. With the assistance of Dennis Kinsey, Jackson grabbed the driver under his arms and hauled him out of the vehicle – just in time. Fire swallowed up the Jeep just as Kinsey and Jackson placed the driver on the road.

Kinsey, a former volunteer emergency management technician, used his expertise on the scene. He knew to carefully cradle the driver's neck and keep him perfectly still until emergency crews arrived. The driver suffered a broken nose, internal injuries and cuts to his face – but thanks to the bravery and swift response of Jackson and Kinsey, he survived.

A firefighter spokesperson on the scene said that once notified, it took crews less than five minutes to get to the scene, but that they could not have saved the driver if he had still been in the Jeep.

Madame Governor – Travis Jackson and Dennis Kinsey."

The Governor awarded Travis Jackson and Dennis Kinsey the Medal of Valor.

Chief Justice Gerry Alexander: "On November 23, 2001, Greg Meinhold was on his way to pick up his dry cleaning, when he found himself distracted. As he drove along Everett's 19th Street, he noticed a canoe – whose only passenger was a dog – floating in the middle of Silver Lake. Suspicious, he got out of his car and walked to the fishing dock along the shore. That's when he saw a man thrashing in the water.

Finding nothing buoyant near the dock, Meinhold drove to a nearby restaurant, where he remembered seeing canoes. He found one – a display model – but no paddles or oars. So, the former Boy Scout who once had taught canoeing improvised: He grabbed an 18-by-24-inch cookie sheet from the restaurant's kitchen.

Meinhold used it to row out one-quarter of a mile to the man who'd been in the frigid water for 20 minutes. Employing a wrestling move he learned in high school, Meinhold was able to get not only the drowning man into the canoe, but his 60-pound Labrador, Sara, too – without capsizing. Medics arrived, and the man survived.

Concerned that the city wouldn't be prepared to deal with similar situations in the future, Meinhold developed a plan for quick water rescue response on Silver Lake – so that other

citizens wouldn't have to risk their own lives to rescue someone.

Asked why he felt compelled to rescue the man while others merely watched: 'It's a human life. You just pray to God somebody would do it for you or someone you cared about,' Meinhold said."

The Governor awarded Greg Meinhold the Medal of Valor.

Representative Lovick: "On December 15, 2004, after delivering flowers and plants to a local nursery, trucker Jim Swett found himself in the middle of a scene described by one onlooker as "a house fire in the middle of the freeway." A southbound truck crossed a freeway median and slammed into two other vehicles as they traveled northbound on Interstate 5 near Smokey Point.

Without regard for his own safety, Swett saved three lives that day. A window and the taillights of one of the cars, a Suburban, had already melted from the intense heat created by nearby vehicles when Swett smashed one of its windows and helped a woman escape. Fearing that flames would ignite the Suburban, he attached a tow strap to his semitruck, pulled the melting vehicle to safety, pried open a door with a crowbar, and rescued two terrified children who sat in the back seat crying.

Even after emergency officials arrived on the scene, Swett, then 68 years old, wouldn't rest. He was so focused on helping the survivors of the accident that he didn't realize his arms had been burned by the heat until he returned home.

His selfless decision to risk his own life saved the lives of others. Swett attributes his heroism to his 15-year-old grandson, Brandon, who died in a rollover accident four years earlier. He said the two children in the back of the SUV reminded him of his grandson –all three had red hair."

The Governor awarded Jim Swett the Medal of Valor.

The Sergeant at Arms escorted the Medal of Valor recipients from the Chambers.

The Sergeant at Arms escorted the Governor from the Chambers.

The Sergeant at Arms escorted the elected statewide officials from the Chambers.

The Sergeant at Arms escorted Chief Justice Gerry Alexander from the Chambers.

MOTION

On motion of Representative Kessler, the joint session was dissolved.

President Owen returned the gavel to the Speaker (Representative Lovick presiding). The Speaker (Representative Lovick presiding) thanked the President and asked the Sergeant at Arms to escort the President and members of the Senate from the Chambers.

AFTERNOON SESSION

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The Senate was called to order at 1:11 p.m. by President Owen.

MOTION

On motion of Senator Eide, the Senate reverted to the sixth order of business.

RULING BY THE PRESIDENT

President Owen: "In ruling upon the point of order raised by Senator Zarelli that Substitute Senate Bill 6896 is not properly before the body for its consideration because its title does not correctly reflect the bill's subject, the President finds and rules as follows:

This is an issue of first impression, insofar as no President has made a ruling on the title limitation found in Rule 25. Because of this, the President believes some explanation is necessary and asks for the members' patience as he provides this analysis. Washington's Constitution contains single subject and title limitations at Article II, § 19. Senate Rule 25 mirrors this language, providing, "No bill shall embrace more than one subject and that shall be expressed in the title." While the President will properly defer to the courts on the constitutional provisions, he is charged with giving full force and effect to each of this body's rules.

The President begins by noting the purpose of the title requirement, which is to provide some form of notice to the members and the public as to the subject matter of each bill. The volume of legislation introduced each Session is significant, and the sheer number of bills makes it challenging for anyone to read each measure in full. The title provides a shorthand method for a reader to quickly discern the issues and law being affected by a bill to determine if the measure concerns policy of interest to the reader. In this way, someone interested in liquor licenses, for example, could be assured that a measure entitled, "An Act relating to vehicle licensing subagents" does not modify alcohol statutes. It is important, therefore, that the title be accurate as well as concise. It is not required that the title be perfectly precise, but it should adequately describe the scope and purpose of the law being changed so as to cause a reader following a particular issue to determine if further inquiry into the text of the bill is necessary.

Often, there are many options available for titles to a particular measure, and the President is mindful that there are legal, policy, and even political reasons for preferring one set of language to another. The President will give great deference to the title chosen by a member or the body for a bill. The challenge for the President is to adequately recognize the title protection afforded by Rule 25 while refraining from simply substituting his judgment for that of the drafters. Nonetheless, the title limitation adopted by this body must be enforced to the same degree as the other rules, and it is appropriate for the President to examine a title to determine not its legal import, but whether or not it sufficiently describes the subject of the bill itself.

In this case, the President believes that the title of Substitute Senate Bill 6896 does not sufficiently describe the subject matter of the bill. The title, "An Act relating to state funding stabilization" provides no reasonable implication that the bill contains within it policy changes to the state expenditure limit—changes which have application beyond the accounts

being referenced in the bill itself. The President makes no ruling as to the appropriateness of the measure itself, and there is every reason to believe that the expenditure limit change is rationally related to the accounts created, but the title, itself, is incomplete. In so holding, the President expressly invites the drafters to amend the title in a manner consistent with this ruling, because it is his belief that any number of titles could adequately reflect the subject matter of this bill.

Finally, the President believes it is appropriate to caution the body that this ruling is a very narrow application of Rule 25 to a specific bill. This ruling should not be viewed as inviting the members to make wholesale challenges to every bill with a title not to a member's liking. So long as a title sufficiently provides notice as to the subject of a bill, drafters have great latitude as to the language they choose. The President will enforce the body's rules, but he will be at great pains to avoid second-guessing their choice of language for a title.

For these reasons, Senator Zarelli's point is well-taken: The title of Substitute Senate Bill 6896, as presently drafted, is incomplete, and the measure is ineligible for final passage in its present form."

MOTION

At 1:17 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 1:58 p.m. by President Owen.

SECOND READING

SENATE BILL NO. 6898, by Senators Fraser, Brandland, Prentice and Zarelli

Authorizing the issuance of general obligation bonds.

MOTIONS

On motion of Senator Fraser, Substitute Senate Bill No. 6898 was substituted for Senate Bill No. 6898 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fraser, the rules were suspended, Substitute Senate Bill No. 6898 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Schoesler, Senators Swecker and McCaslin were excused.

Senators Fraser and Brandland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6898.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6898 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley,

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Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators McCaslin and Swecker - 2

SUBSTITUTE SENATE BILL NO. 6898, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6384, by Senators Fraser, Prentice, Doumit, Zarelli and Brandland

Adopting the 2006 supplemental capital budget.

MOTION

On motion of Senator Fraser, Substitute Senate Bill No. 6384 was substituted for Senate Bill No. 6384 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Berkey moved that the following amendment by Senator Berkey and others be adopted.

On page 51, after line 28, insert the following:

"Sec. 180. 2005 c 488 s 777 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Everett Community College: Undergraduate Education Center (04-2-692)

Appropriation:

State Building Construction Account--State . . . \$7,363,700

Gardner-Evans Higher Education Construction Account--State \$3,844,000

Subtotal Appropriation

\$11,207,700

Prior Biennia (Expenditures) \$126,000

Future Biennia (Projected Costs) ((~~\$27,407,540~~))\$38,103,591

TOTAL ((~~\$34,897,240~~))\$49,437,291"

Sec. 181. 2005 c 488 s 795 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Skagit Valley College: Science Building Replacement (04-1-209)

Reappropriation:

State Building Construction Account--State . .

\$14,664

Appropriation:

State Building Construction Account--State

\$2,693,000

Gardner-Evans Higher Education Construction Account--State \$325,000

Subtotal Appropriation

\$3,018,000

Prior Biennia (Expenditures) \$285,336

Future Biennia (Projected Costs) ((~~\$24,268,049~~))26,693,049

TOTAL ((~~\$27,261,049~~))\$30,011,049"

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Senators Berkey and Brandland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Berkey and others on page 51, line 28 to Substitute Senate Bill No. 6384.

The motion by Senator Berkey carried and the amendment was adopted by voice vote.

MOTION

Senator Fraser moved that the following amendment by Senator Fraser and others be adopted.

On page 51, after line 28, insert the following:

"NEW SECTION. Sec. 180. A new section is added to 2005 C 488 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Green River Community College: Water System Replacement (06-1-501)

Appropriation:

Gardner-Evans Higher Education Construction

Account--State \$1,951,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,951,000

NEW SECTION. Sec. 181. A new section is added to 2005 C 488 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Highline Community College: Primary Power Branch Replacement (06-1-503)

Appropriation:

Gardner-Evans Higher Education Construction

Account--State \$1,717,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,717,000

NEW SECTION. Sec. 182. A new section is added to 2005 C 488 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

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Skagit Valley College: Campus Fire Loop Replacement (06-1-504)

Appropriation:

Gardner-Evans Higher Education Construction
 Account--State \$1,634,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,634,000

NEW SECTION, Sec. 183. A new section is added to 2005 C 488 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Seattle Central Community College: Maritime Academy Repairs (06-1-502)

Appropriation:

Gardner-Evans Higher Education Construction
 Account--State \$268,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$1,588,000
 TOTAL \$1,856,000"

On page 56, line 32, after "building" insert ", and for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct the Richland health sciences center"

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senators Fraser, Brandland and Eide spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Fraser and others on page 51, line 28 to Substitute Senate Bill No. 6384.

The motion by Senator Fraser carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Fraser, the rules were suspended, Engrossed Substitute Senate Bill No. 6384 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser, Brandland spoke in favor of passage of the bill.

PERSONAL PRIVILEGE

Senator Fraser: "As we are concluding our work on the capitol budget, I would like to also say thank you to Senator Brandland for our collaborative relationship, also to Ways & Means staff member, Brian Simms, who we kept busy researching this and that and that and this and helped us immeasurably putting this together. Thank you."

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6384.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6384 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0;

Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Swecker - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 6384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6533, by Senators Prentice, Zarelli, Schoesler, Benton and McCaslin

Providing a tax credit for syrup sales. Revised for 1st Substitute: Providing a business and occupation tax credit for syrup taxes paid by a business.

MOTIONS

On motion of Senator Prentice, Substitute Senate Bill No. 6533 was substituted for Senate Bill No. 6533 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Prentice, the rules were suspended, Substitute Senate Bill No. 6533 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6533.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6533 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Stevens, Weinstein and Zarelli - 43

Voting nay: Senators Fairley, Fraser, Kline, Spanel and Thibaudeau - 5

Excused: Senator Swecker - 1

SUBSTITUTE SENATE BILL NO. 6533, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6671, by Senators Doumit, Delvin, Rasmussen and Parlette

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Clarifying the application of taxes to the financial activities of professional employer organizations.

ROLL CALL

MOTIONS

On motion of Senator Prentice, Substitute Senate Bill No. 6671 was substituted for Senate Bill No. 6671 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Prentice, the rules were suspended, Substitute Senate Bill No. 6671 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Prentice and Delvin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6671.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6671 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 47

Voting nay: Senator Regala - 1

Excused: Senator Swecker - 1

SUBSTITUTE SENATE BILL NO. 6671, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6542, by Senators Mulliken, Rasmussen, Schoesler, Sheldon, Morton, Shin, Delvin and Honeyford

Exempting farming services from business and occupation tax. Revised for 2nd Substitute: Exempting persons engaged in farming and certain farming services from business taxes.

MOTIONS

On motion of Senator Prentice, Second Substitute Senate Bill No. 6542 was substituted for Senate Bill No. 6542 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Prentice, the rules were suspended, Second Substitute Senate Bill No. 6542 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Prentice, Mulliken and Rasmussen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6542.

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6542 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Weinstein and Zarelli - 45

Voting nay: Senators Fairley, Kohl-Welles and Thibaudeau - 3

Excused: Senator Swecker - 1

SECOND SUBSTITUTE SENATE BILL NO. 6542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6326, by Senators Shin, Rasmussen, Pflug, Doumit, Rockefeller, Weinstein, Pridemore, Hewitt, Jacobsen, Thibaudeau, Swecker, Sheldon, Oke, Keiser, Kohl-Welles, Franklin, Kline and Berkey

Providing a source of funding for customized work force training.

MOTIONS

On motion of Senator Prentice, Second Substitute Senate Bill No. 6326 was substituted for Senate Bill No. 6326 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Prentice, the rules were suspended, Second Substitute Senate Bill No. 6326 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Prentice, Shin and Pflug spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6326.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6326 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Swecker - 1

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SECOND SUBSTITUTE SENATE BILL NO. 6326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6512, by Senators Fraser, Pridemore, Honeyford, Poulsen, Mulliken, Regala, Rockefeller, Delvin and Kline

Enhancing air quality at truck stops.

MOTIONS

On motion of Senator Fraser, Substitute Senate Bill No. 6512 was substituted for Senate Bill No. 6512 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fraser, the rules were suspended, Substitute Senate Bill No. 6512 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser and Morton spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senator Kline was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6512.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6512 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Kline and Swecker - 2

SUBSTITUTE SENATE BILL NO. 6512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6557, by Senators Kohl-Welles and Keiser

Modifying the taxation of motion picture and video production services.

MOTIONS

On motion of Senator Kohl-Welles, Second Substitute Senate Bill No. 6557 was substituted for Senate Bill No. 6557 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Second Substitute Senate Bill No. 6557 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Parlette spoke in favor of passage of the bill.

MOTION

On motion of Senator Weinstein, Senator Pridemore was excused.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6557.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6557 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Kline, Pridemore and Swecker - 3

SECOND SUBSTITUTE SENATE BILL NO. 6557, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6558, by Senators Brown, Hewitt, Eide, Kohl-Welles, Benson, McAuliffe, Benton, Kline and Keiser

Improving the state of Washington's economic, cultural, and educational standing in the motion picture industry.

MOTIONS

On motion of Senator Brown, Second Substitute Senate Bill No. 6558 was substituted for Senate Bill No. 6558 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Second Substitute Senate Bill No. 6558 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6558.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6558 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland,

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Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 47

Voting nay: Senator Sheldon - 1

Excused: Senator Swecker - 1

SECOND SUBSTITUTE SENATE BILL NO. 6558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6781, by Senators Prentice, Pflug, Fraser, Parlette, Shin and Schoesler

Modifying the excise taxation of environmental remediation services.

MOTIONS

On motion of Senator Prentice, Substitute Senate Bill No. 6781 was substituted for Senate Bill No. 6781 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Prentice, the rules were suspended, Substitute Senate Bill No. 6781 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6781.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6781 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Swecker - 1

SUBSTITUTE SENATE BILL NO. 6781, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8417, by Senators Kohl-Welles, Prentice, Parlette, Kline and Rasmussen

Establishing a committee on gambling policy setting.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Concurrent Resolution No. 8417 was substituted for Senate Concurrent Resolution No. 8417 and the substitute resolution was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Concurrent Resolution No. 8417 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senator Kohl-Welles spoke in favor of passage of the resolution.

The President declared the question before the Senate to be the final passage of Substitute Senate Concurrent Resolution No. 8417.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Concurrent Resolution No. 8417 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau and Zarelli - 47

Absent: Senator Weinstein - 1

Excused: Senator Swecker - 1

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8417, having received the constitutional majority, was declared passed.

MOTION

At 3:18 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon Tuesday, February 21, 2006.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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